

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WAYNE CLARK,

Plaintiff,

v.

HIDDEN VALLEY LAKE ASSOCIATION,

Defendant.

Case No. [3:16-cv-02009-SI](#)

**ORDER EXTENDING DEADLINE TO  
SERVE COMPLAINT AND  
CONTINUING CASE MANAGEMENT  
CONFERENCE**

This action was filed on April 15, 2016. The docket does not reflect that defendant has been served with process. Plaintiff has requested a 60 day continuance of the Initial Case Management Conference because "plaintiff is seeking new counsel to represent him."

Rule 4(m) of the Federal Rules of Civil Procedure provides that "If defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action with prejudice against that defendant, or order that service be made within a specified time." Since this action was filed on April 15, 2016, service under F.R.Civ.P. 4(m) was required by July 14, 2016.

Apparently plaintiff is seeking new counsel. Accordingly, **the Court extends the date by which service must be made to September 30, 2016.** The Court further **continues the Initial Case Management Conference, currently set for September 2, 2016, to November 4, 2016, at 2:30 p.m.**

Plaintiff is cautioned that if he does not effect service of process by the new deadline of September 30, 2016, and does not otherwise show good cause for his delay, this Court will dismiss the action with prejudice.

**IT IS SO ORDERED.**

Dated: August 31, 2016



SUSAN ILLSTON  
United States District Judge